



July 7, 2011

Ms. Gretchen M. Pyle
Development Review Coordinator
City of Sugar Land
2700 Town Center Blvd. N
Sugar Land, TX 77479

Subject: Imperial Tract 3 Planned Development (General Development Plan)
TBG Response to City of Sugar Land Review Comments

Dear Ms. Pyle:

We offer the following responses to the City of Sugar Land's review comments provided in your letter dated March 11, 2011 regarding the PD submitted for Imperial Tract Three.

TRAFFIC COMMENTS

Quenell T. Johnson, EIT
Engineer II.
(281) 275-2457

1. Notes made on general plan

Response: A single lane roundabout with an inscribed diameter of 100 feet is being proposed at the intersection of East-West Connector and Burney Road. The proposed roundabout is illustrated in Figure 8-11 of the Traffic Impact Analysis Report for Imperial Sugar/Tract 3 development dated June 10, 2011, or as updated.

A roundabout is not being proposed at the intersection of Ulrich Extension and Ulrich Street due to right-of-way restrictions. This intersection is recommended to be operated with STOP-control on Ulrich Extension until a traffic signal is installed sometime between 2015 and 2019. For further details on the traffic control at this intersection, please refer to Chapter 8 of the Traffic Impact Analysis Report for Imperial Sugar/Tract 3 development dated June 10, 2011.

CITY ENGINEER COMMENTS

Shashi Kumar, P.E.
(281) 275-2275

- 1. The land use plan has changed (residential to business park), especially for Phase 2. This is likely to increase the overall percent (%) impervious area assumed in the drainage MDP.*

Response: The weighted percent impervious for the Southbend Area decreased by 7% due to the addition of residential development that replaced the proposed commercial development. The weighted percent imperviousness in the Northbend Area increased by approximately 2% as a result of the additional 7.4 acres of parking. The Estates section did not change.

2. *At least the % imperviousness map attached in the MDP will need to be updated/ revised to be consistent with the revised GP.*

Response: The changes to the percent impervious cover should not result in negative impacts to the Oyster Creek Watershed and therefore was not re-evaluated. However, the future Letter of Map Revision will incorporate these minor revisions. Exhibit 2.4 in the MDP that shows the percent impervious values was not modified, but will be updated in the LOMR.

3. *If the change (increase) in percent imperviousness is significant, the drainage analysis will need to be re-run and the report updated to ensure no adverse impacts.*

Response: The overall changes to the percent impervious were not significant and should not warrant updated models and analysis until the LOMR is submitted.

PLANNING COMMENTS

Douglas P. Schomburg, AICP dschomburg@sugarlandtx.gov
Lisa Kocich-Meyer, AICP lkocich-meyer@sugarlandtx.gov
(281) 275-2218

General Development Plan PD proposal comments - First Section of Comments refer to proposed Exhibit B language:

1. *B. General Provision – 2. – Correct the language stating this is a final development plan: this is a general development plan submittal.*

Response: The text has been revised to correctly state that this is a General Development Plan submittal.

2. *B. General Provisions – 2. – Retail definition – add an “s” to the words good’s*

Response:

An “s” has been added to the word goods.

3. *B. General Provisions – 3. –Should reference a different exhibit, such as Exhibit B-2. B-1 does not clearly establish the 7 different districts. Also, provide a general boundary description of each of the 7 districts. For example (.*

Response: The reference has been changed to Exhibit B-2, Land Use Plan and the text has been revised to include a general boundary description of each of the 7 districts. The Ballpark District has been further subdivided into "Tracts A-F" restricting certain uses to only certain tracts. Multi-family is restricted to only tract B in the Ballpark District and the Historic District.

4. *D. Development Regulations – 2. – will building appurtenances, such as awnings, and/or sidewalks, street furniture, or outdoor dining areas be permitted within the required building setbacks for certain areas or along certain public streets? If desired, language in the text would be appropriate.*

Response: Yes - Text has been added to allow the encroachment of certain uses within the building setback areas. "Awnings and canopies attached to a principle building may project up to 5 feet into a required building setback if located at least 8 feet above adjoining sidewalks, pedestrian walkways, or outdoor service areas for eating and drinking establishments."

5. *D. Development Regulations – 3. – We believe it is appropriate to provide specifics on how parking will be integrated in the Ballpark District mixed use areas (includes both residential and commercial) parking requirements. For any structured parking, compliance with the regulations in Chapter 2, Article XI will be required. Please include this provision, and also provide more detail on integrated parking.*

Response: The intent is that development within the Ballpark District will comply with the City's current off-street parking requirements, except the parking for live/work will adhere to more stringent findings of a Parking Study to be submitted with the Final Development Plan, and parking for multi-family will address the requirements of Resolution 10-21 for integrated parking. We have revised Exhibit B, D.9, requiring that structured parking shall comply with the regulations in Chapter 2, Article XI of the Development Code. We have also added a provision in Exhibit B, H (9), "For non-residential uses with parking located between the street and the building, at least one walkway shall be provided to and through its associated parking area to connect a building entrance to a public street sidewalk."

6. *D. Development Regulations – 5. - Update the proposed maximum densities and maximum number of multifamily units as recently presented at the Feb. 17th Community meeting and to Planning and Zoning Commission Workshop on Feb. 24th. The current information submitted to the City is from November of 2010.*

Response: The application has been revised proposing a maximum of 625 multi-family units within the Ballpark District (Tract B) and the Historic District. Multi-Family is not being proposed in any other district.

7. *D. Development Regulations – 7. – recommend including language that mirrors recently approved language per the HEB PD related to outdoor merchandise areas being integrated into the building architecture.*

Response: The text has been revised to include restrictions for outside merchandise areas similar to the HEB PD, as follows:

- (a) a. Outdoor display of merchandise will be permitted along the front of the building in an area not exceeding 5,000 sf in the aggregate, provided that such outdoor merchandising areas occupy a contiguous area less than 10% of the ground floor area of the attendant building or tenant space, but no greater than 5,000 square feet. The 10% maximum size restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.
8. *D. Development Regulations – 8. – Will bicycle parking be required to be provided at multifamily buildings? We believe this is important for all buildings, and not just non-residential, which is the wording currently.*

Response: Bicycle parking will be required within 50 feet of each multi-family leasing and management office. See response below to item 9.

9. *D. Development Regulations – 8. – are there any additional general requirements for bicycle parking such as locations of parking facilities being proposed? – visible locations, within 50 of entrance to each building, should not be located in pedestrian pathways, minimum ratios, etc.?. We believe that any bike rack be able to park not less than two. Please consider some minimum ratios for multi-family units and non-residential utilizing “LEED for Neighborhood Development SLL Credit 4: Bicycle Elements.*

Response: The text has been revised to include additional requirements and regulations pertaining to bicycle parking. A minimum distance of 50 feet has been established from each non-residential building or multi-family leasing and management office, restricting the location relative to sidewalk and pedestrian walkway encroachments, requiring a minimum number of spaces in any one location, establishing design requirements for the type of bicycle racks, and requiring parking garages to include separate spaces for bicycle parking. Reference to bicycle parking was moved from line “8” to line “10”.

10. *E. Development Regulations for Business District – 6. – see previous comment related to bicycle parking requirements.*

Response: See response above.

11. *F. Development Regulations for Live/Work Units and Townhome Lots – 7. – integrated parking requirements?*

Response: A minimum of 2 spaces per unit and an additional 1space per every 5 units of Live/Work units must be provided. Additional off street parking may be required contingent upon the findings of a Parking Plan that will be required with the submittal of the Final Development Plan if Live/Work units are proposed.

12. *H. Landscape and Pedestrian Circulation Regulations – 1(a). – revise language as it is our understanding the 25 ft. landscape buffer is desired by the residents of Estates of Oyster Creek?*

Response: The General Plan and the text in Exhibit B (Section H, 1.(a) and Section H 10. (b)) have been revised to include a 25' buffer adjacent Mayfield Park and Estates of Oyster Creek subdivisions.

13. *H. Landscape and Pedestrian Circulation Regulations – 2(a). – remove requirements for U.S. Highway 59 and replace with Highway 6*

Response: We have revised the text to read State Highway 6.

14. *H. Landscape and Pedestrian Circulation Regulations – 3. – Please explain this in more detail. (Landscaping buffers as transit stops) Does this mean the addition of benches, etc.?*

Response: Yes – in locations where it is appropriate to provide transit stops, landscape buffer areas may be used for that purpose. Benches, paving, canopies and/or other features may be constructed to enhance those facilities.

15. *H. Landscape and Pedestrian Circulation Regulations – 7. – provide minimum size requirements for these public outdoor spaces to help guide Final Development Plans. Suggest that recent language in the Newland PD proposals could be utilized by TBG. Also consider pedestrian shed ¼ mile radius illustrations in the plans (prior feature of the Southern Land submittals)*

Response: A minimum size has been established for required publicly-accessible outdoor spaces within the Ballpark and Refinery Districts. The intent for the Final Development Plan is to include additional green space within the interior of the development, not just along the perimeter of the tracts. The detention lakes within the Ballpark District will provide an excellent opportunity to meet this expectation.

16. *H. Landscape and Pedestrian Circulation Regulations – 9(ii) – include bicycle parking (racks, etc) – so bicycle parking areas do not encroach and block pedestrian walkways.*

Response: The text has been revised to include additional requirements and regulations pertaining to bicycle parking specifically restricting the location relative to sidewalk and pedestrian walkway encroachments. See response to # 9 above.

17. *H. Landscape and Pedestrian Circulation Regulations – 10(b) – will the minimum 8-foot wide trail be required on both sides of Oyster Creek. We believe that a sidewalk or trail is appropriate on both sides of the Creek.*

Response: An 8' trail will only be provided on the north and east side of Oyster Creek within the Ballpark District and where it is required based on the City's Hike and Bike Trail Master Plan. (A trail will not be provided east of the Mixed Use area west of Mayfield Park or in the single-family residential areas west of Estates of Oyster Creek.) We have revised the text to clarify the intent of the developer with respect the location of the 8' wide trail.

18. *Provide an overall open space plan. Please delineate between the spaces that will be eventual city park spaces and those that will remain the developers such as landscape reserves, etc. Per Chapter 2, Article II within the required elements for a General Development Plan, an Open Space / General Landscaping Plan is required. We believe that a Planting list (examples in the recent Telfair PDs is appropriate at the General Development Plan stage).*

Response: We have prepared and submitted in Exhibit B-4 an overall open space plan delineating the public and private open spaces.

A Plant List will be submitted with the Final Development Plan based upon a palette of materials appropriate for the theme of the project which has not yet been determined. The difference between the Imperial PD and the Telfair PDs is that Telfair was a mature and established development at the time the General Development Plan was first submitted. We anticipate that the design themes for Imperial will evolve substantially between the General Development Plan and the Final Development Plan.

19. *I. Building Regulations – 1(c) – what are some examples of architectural details? We believe that this 1st Step PD should set the standards for at least a minimum level of certainty to evaluate Final Development Plans. 3(b) We believe that the “25%” level of transparency is too low for true mixed use. For example, LEED for Neighborhood Use NPD Credit 1: Walkable Streets includes design elements and visual graphics.*

Response: The Building Regulations have been augmented to better provide a framework or pattern for the Final Development Plan.

1c. We believe the statements in 1c are sufficient to communicate the requirement to avoid long sterile walls on non-residential buildings, without dictating architectural themes or styles. Examples of Architectural details would include: Windows, doors, insets, pop outs, balconies, soffits, overhangs, sunshades, awnings, lighting and/or other elements resulting in horizontal and vertical variations.

3(b) We believe that 25% is a good number to establish a minimum amount of glazing to prevent the look of only blank walls and entry doors. We agree that for retail buildings set close to the right of way more glazing on the first floor would be appropriate, but we did not intend that all buildings, including those that are setback from the right-of-way and on all floors be more than 25% glazing.

20. *Cross-sections –Currently there is not a Cross-section for Street D in the Business Park. Please add for consistency.*

Response: The application has been amended to include a cross section for Street D in the Business Park District.

21. *Revised Land Use Matrix based on previously issued comments recommended changes to Exhibit B-2 Land Use Matrix, emailed January 14, 2011*

Response: The land use matrix has been revised based on the comments received on January 14, 2011.

22. *Live Work Townhomes- There are a number of SIC Codes proposed for live work townhomes that we believe are not well-suited for this type of co-use: SIC Major Group Codes 52, 53, 54, 56, 57, 59, 72, 76 are not supported by staff for townhome businesses. Also, Live work needs to be associated with Townhome rather than Multi-family in the Land Use Matrix.*

Response: The land use matrix has been revised to limit the permitted uses better suited for live/work townhomes, including only uses that are not likely to generate the need for additional off-street parking. Specifically, we have restricted live/work units from the SIC codes listed above. We have also added the provision for live/work to include the SIC code 73 not previously listed. And we have deleted from the land use matrix the note associating live/work with multi-family.

23. *Overall Multi-family Issues / Public Concerns? Density and Numbers The Comprehensive Plan contains provisions for separation and density for standard multi-family products and uses. There are provisions for PD zoning that allow multi-family planned development to be reviewed without the requirements for separation and dispersal. The separation and density requirements from the Comprehensive Plan are designed to limit the number of apartment concentrations. With the adoption of Resolution 10-21, the Council provided additional guidance as to the type of multi-family design elements anticipated for PD districts. Based on the limited detail currently provided, staff is unable to recommend specific multi-family numbers and densities. (Please note however, that we believe there is a typo in the proposal for the Multi-family density in the Refinery District of 60 and 35 DUI's per acre). In particular, the Ballpark District does not have adequate details for the proposed "horizontal integration" of the units. Therefore, we believe that the Comprehensive Plan separation and maximum unit counts may be appropriate under the current submittal for the Ballpark District. We will be happy to meet to further discuss these publicly sensitive issues with multi-family.*

Response: Based on public feedback and candid dialog with stakeholders, this revised PD application has reduced the proposed number of multi-family units from 1,600 units to 625 units. The application has also been revised to more precisely delineate the locations that multi-family units will be permitted. The Ballpark District has been divided into tracts A-F, where multi-family will only be permitted in Tract B.

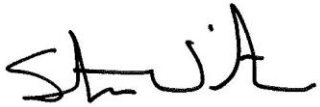
Based on our observations of meetings with the Planning Commission regarding Resolution 10-21, the developer has recently prepared detailed site plans for the multi-family tracts in the Ballpark District. We intend to review the plans with staff to demonstrate the proposed "horizontal integration" of the proposed land uses and to illustrate compliance with the 12 principles of Resolution 10-21.

So that staff may complete the review process we have submitted the following documents:

- 1) Three copies of the corrected plans (General Development Plan)
- 2) An itemized letter from the applicant responding to each comment
- 3) A copy of the City's original letter.
- 4) An electronic file of all of the above.
- 5) Three copies of the revised Traffic Analysis and Traffic Analysis - Appendices

Please let us know if any further clarification is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Winter". The signature is stylized with a large "S" and "W".

Stan Winter, AICP
Director of Planning